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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**ANDREW HEIDEL, R. ANDREW  
HEIDEL INC. d/b/a THE WAY  
STATION, FRANKLIN ORTEGA, PO  
ITALIANISSIMO INC., JOHN  
MEROLLA, and NYMS PRODUCTIONS,  
INC. d/b/a MURDERED BY THE MOB,  
individually and on behalf of classes of all  
others similarly situated,**

Plaintiffs,

-against-

**ANDREW CUOMO, GOVERNOR OF  
NEW YORK STATE, IN HIS OFFICIAL  
CAPACITY, THE STATE OF NEW YORK,  
BILL de BLASIO, MAYOR OF NEW  
YORK CITY, IN HIS OFFICIAL  
CAPACITY, and THE CITY OF NEW  
YORK,**

Defendants.

Case No.: 1:20-cv-10462 (PKC)

**NOTICE OF APPEAL**

Notice is hereby given that Plaintiffs Andrew Heidel, R. Andrew Heidel Inc. d/b/a The Way Station, Franklin Ortega, PO Italianissimo Inc., John Merolla, and NYMS Productions, Inc. d/b/a Murdered by the Mob, individually and on behalf of classes of all others similarly situated, hereby appeal to the United States Court of Appeals for the Second Circuit from the Memorandum Decision and Order (Dkt. No. 45) entered on October 21, 2021, and all opinions and orders that merge therein.

Dated: New York, New York  
November 17, 2021

By:   
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